

12-29-06

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/583,830
Applicants : Michael MACALUSO, et al.
Filed : June 21, 2006
Title : **POWER LINE COMMUNICATIONS DEVICE IN WHICH
PHYSICAL COMMUNICATIONS PROTOCOL LAYER
OPERATION IS DYNAMICALLY SELECTABLE**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER


Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pgs.);
2. Modified Form 1449/PTO (1 page), in duplicate;
3. References (five non-patent literature documents);
4. Copy of International Search Report and Written Opinion dated September 28, 2006; and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 212-935-3000, New York, New York. Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **34585-515 NATL**, Customer No. **35437**. A duplicate copy of this transmittal letter is enclosed.

December 27, 2006

Respectfully submitted,


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Express Mail Label No.: EV 873 102 532 US
Date of Deposit: December 27, 2006

Attorney Docket No. 34585-515 NATL



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Examiner : Not Yet Assigned

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the enclosed modified Form 1449/PTO (submitted in duplicate) in the above-identified application. These documents were cited in the September 28, 2006 International Search Report and Written Opinion in counterpart PCT Application No. PCT/US04/43258. For the Examiner's convenience, a copy of the International Search Report and Written Opinion is enclosed.

This Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits. Accordingly, no fee is required. 37 C.F.R. § 1.97 (b)(3).

Under 37 C.F.R. § 1.98(a)(2), copies of the non-patent literature documents are enclosed. No copies of the cited U.S. patent/publication documents are enclosed, pursuant to the U.S. Patent Office's waiver of 37 C.F.R. § 1.98(a)(2)(i). It is respectfully requested that these references be: (1) fully considered by the Patent Office during prosecution of this application;

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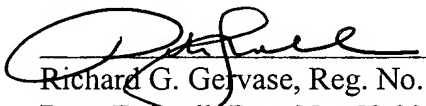
and (2) printed on the face of any patent which may issue on this application. Applicants request that a copy of Form 1449/PTO, as considered and initialed by the Examiner, be returned with the next communication to Applicants.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

An early and favorable action is hereby requested. Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **34585-515 NATL**, Customer No. **35437**.

December 27, 2006

Respectfully submitted,

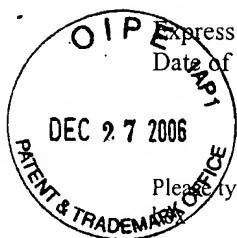


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Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	10/583,830
	Filing Date	June 21, 2006
	First Named Inventor	Michael MACALUSO
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	34585-515 NATL

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
		20010028678	May 8, 2001	Kato et al.			
		20020006167 A1	April 20, 2001	McFarland			
		7,075,941 B2	March 1, 2001	Liu et al.			
		5,909,463 A	November 4, 1996	Johnson et al.			

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Office	Document Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	D1	Lee et al. "HomePlug 1.0 powerline communication LANs - protocol description and performance results", International Journal of Communication Systems, Volume 16, Issue 5, Pages: 447-473, June 2003
	D2	Rauschmayer, "ADSL/VDSL Principles", Macmillan Technical Publishing, page 171, 1999
	D3	ITU-T "G.992.1 Recommendation", ITU-T, pages 9-13, June 1999
	D4	Gardner "HomePlug Standard Brings Networking to the Home", Communication Systems Design, Volume 6, Number 12, December 2000
	D5	Lee et al. "HomePlug 1.0 powerline communication LANs - protocol description and performance results version 5.4", International Journal of Communication Systems, Pages: 1-25, 2000
Examiner Signature		Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.